

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE SEPTEMBER 11TH LITIGATION

and

IN RE SEPTEMBER 11TH PROPERTY DAMAGE
AND BUSINESS LOSS LITIGATION

Civil Nos.
21 MC 97 (AKH)
21 MC 101 (AKH)

THIS DOCUMENT RELATES
TO: 03 CV 6802 (AKH) and
02 CV 6364

Bailey v. United Air Lines, Inc.,
et. al.

and

Baker, et al. v. United Air Lines,
Inc., et al.

NOTICE OF MOTION

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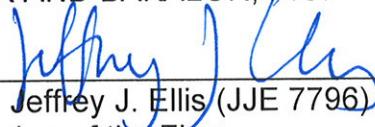
PLEASE TAKE NOTICE that defendants United Air Lines, Inc., UAL Corporation and Huntleigh USA Corporation (collectively "Defendants") will move this Court upon the accompanying declaration and memorandum of law, at a date and time to be set by the Court, at the United States Courthouse, 500 Pearl Street, New York, New York, for an order (i) approving the agreement entered into by plaintiff Katherine Bailey and Defendants, settling the claims asserted in *Bailey v. United Air Lines, Inc., et. al.*, 03 CV 6802 (AKH) and the agreement entered into by plaintiffs Susanne Ward Baker and Doyle Raymond Ward and Defendants, settling the claims asserted in *Baker, et al. v. United Air Lines, Inc., et al.*, 02 CV 6364 (AKH) (the "Settlements"); (ii) entering final judgment pursuant to Rule 54(b) of the Federal Rules of Civil Procedure; (iii) ruling that the liability limitation contained in section 408(a)(1) of the Air

Transportation Safety and System Stabilization act applies to the Settlement amounts; and (iv) dismissing the Complaints in *Bailey v. United Air Lines, Inc., et. al.*, 03 CV 6802 (AKH) and *Baker, et al. v. United Air Lines, Inc., et al.*, 02 CV 6364 (AKH) with prejudice as to all Defendants.

Dated: New York, New York
May 1, 2007

Respectfully submitted,

QUIRK AND BAKALOR, P.C.

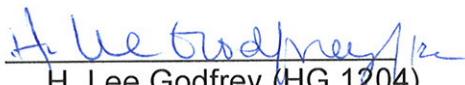
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UAL CORPORATION

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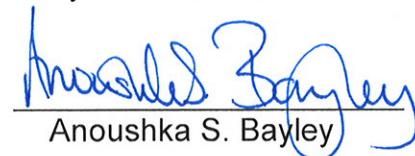
AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

ANOUSHKA S. BAYLEY, being duly sworn, deposes and says that deponent is not a party to the action, is over 18 years of age and resides in Westchester, New York and that on the 1st day of May, 2007, deponent served the within **NOTICE OF MOTION, MEMORANDUM OF LAW IN SUPPORT OF DEFENDANTS' MOTION FOR AN ORDER: (1) APPROVING THE SETTLEMENT; (2) ENTERING FINAL JUDGMENT PURSUANT TO RULE 54(b) OF THE FEDERAL RULES OF CIVIL PROCEDURE; (3) RULING THAT THE LIABILITY LIMITATION CONTAINED IN SECTION 408(a)(1) OF THE AIR TRANSPORTATION SAFETY AND SYSTEM STABILIZATION ACT APPLIES TO THE SETTLEMENT AMOUNT; AND (4) DISMISSING THE COMPLAINT WITH PREJUDICE; DECLARARION OF JEFFREY J. ELLIS; and ORDERS OF FINAL JUDGMENT** upon:

Mary Schiavo, Esq. Motley Rice LLP Attorney for Plaintiffs, Katherine Bailey, Susanne Ward Baker and Doyle Raymond Ward	Desmond T. Barry, Esq. Condon & Forsyth
Marc S. Moller, Esq. Kreindler & Kreindler LLP	Richard A. Williamson, Esq. M. Bradford Stein, Esq. Flemming, Zulack, Williamson & Zauderer LLP
Robert A. Clifford, Esq. Timothy S. Tomasik, Esq. Clifford Law Offices, P.C.	Beth E. Goldman, Esq. United States Attorneys' Office
Beth Jacob, Esq. Schiff Hardin & Waite	
ALL AVIATION DEFENDANTS	

by e-mailing a copy of the papers to the attorneys in accordance with the Court's March 10, 2005 Order.



Anoushka S. Bayley

Sworn to before me this
1st day of May, 2007.



SUSAN B. CLEARWATER
Notary Public, State of New York
No. 31-4874749
Qualified in New York County
Commission Expires October 6, 2010